

Remarks/Arguments:

The above Amendments and these Remarks are in reply to the Office Action mailed December 7, 2006.

Claims 1-51 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 1-51. The present Response amends claims 1, 36, 40, 41 and 46-51 leaving for the Examiner's present consideration claims 1-51.

Claims 1-5, 7-20, 24-48 and 50-51 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gehani and further in view of Britton et al., U.S. Patent No. 5,613,060.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gehani in view of Britton and further in view of Mosher et al (U.S. 6,785,696).

Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gehani in view of Britton and further in view of Fiske (U.S. 6,324,692).

Claim 49 is rejected under 35 U.S.C. § 102(b) as being anticipated by Gehani et al., U.S. Patent No. 5,765,171.

Independent claims 1, 36, 40-41 and 46-51, as amended, include the limitation that "a one-phase update is done with the slave service layer requesting a delta from the master service layer asynchronously; or a two-phase update is done with the slave service layer receiving a delta from the master service layer, sending a prepared signal to the master service layer and then committing the delta if a commit signal is received from the master service layer wherein the one-phase update is done to multiple slave servers."

This is not shown, suggested or given a motivation for in the cited prior art. For example, Britton in column 31, lines 14-19, states that a one-phase commit is only done if there are less than two resources in a commit list. Britton, alone or in combination with the other references, does not disclose or suggest selecting between a one and two phase update where a one-phase update done to multiple slave servers as claimed in the independent claims.

For this reason, the independent claims 1, 36, 40-41 and 46-51 are believed to be allowable. Dependent claims 2-35 and 42-45 are dependent on these independent claims and for that reason, and because of the additional limitations of the dependent claims, these dependent claims are believed to be allowable.

Reconsideration of the rejections is requested.

In light of the above, it is respectfully submitted that all of the claims now pending in the

subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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